

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
TANH HUU LAM,  
  
Defendant.

No. 2:97-cr-54 WBS

ORDER

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Defendant Tanh Huu Lam has filed a Motion for Reconsideration (Docket No. 524), which once again requests that the court reassign this case to a different judge. As the court explained in its order dated March 3, 2025 (Docket No. 518):

The court continues to find that there is no basis for recusal, nor any other reason for reassignment of the case to another judge.


Specifically, defendant's motion, even assuming it was timely, does not demonstrate that the undersigned "has a personal bias or prejudice against [the defendant] or in favor of any adverse party," as required by 28 U.S.C. § 144, or that (1) the undersigned's "impartiality might reasonably be

1 questioned" or (2) the undersigned "has a personal  
2 bias or prejudice concerning a party, or personal  
3 knowledge of disputed evidentiary facts concerning the  
4 proceeding," as required by 28 U.S.C. § 455. Among  
5 other things, a judge's prior adverse ruling is not a  
6 sufficient cause for recusal. United States v.  
Studley, 783 F.2d 934, 939 (9th Cir. 1986). Further,  
7 the fact that the undersigned may have recused himself  
8 in another unrelated case does not show that recusal  
9 or reassignment is required in this case.

10 Nothing in defendant's Motion to Reconsider persuades  
11 the court that this prior ruling was incorrect. Accordingly, the  
12 motion (Docket No. 524) is DENIED.

13 IT IS SO ORDERED.

14 Dated: April 11, 2025

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16 WILLIAM B. SHUBB  
17 UNITED STATES DISTRICT JUDGE  
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